



PCT

NOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

From the INTERNATIONAL BUREAU

To:

DI BLASI, Gabriel
Di Blasi, Parente, Soerensen Garcia & Associados S/C
Rua do Ouvidor, 121/12º andar
Centro
CEP 20040-030 Rio de Janeiro
BRÉSIL

Date of mailing (day/month/year)
01 April 2004 (01.04.2004)

Applicant's or agent's file reference
PI 0204130-8

IMPORTANT NOTICE

International application No.
PCT/BR2003/000134

International filing date (day/month/year)
17 September 2003 (17.09.2003)

Priority date (day/month/year)
18 September 2002 (18.09.2002)

Applicant

BARROS, Silvia, Berlanga, de, Moraes et al

1. Notice is hereby given that the International Bureau has **communicated**, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DZ, EP, HU, JP, KG, KP, KR, MD, MK, MZ, RU, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 01 April 2004 (01.04.2004) under No. WO 2004/026323

4. **TIME LIMITS** for filing a demand for international preliminary examination and for entry into the national phase

The applicable time limit for entering the national phase will, **subject to what is said in the following paragraph**, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of **19 months** from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, **time limits other than the 30-month time limit** will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For **regular updates on the applicable time limits** (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a **demand for international preliminary examination**, see the *PCT Applicant's Guide*, Volume I/A, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's **sole responsibility** to monitor all these time limits.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Gijsbertus Beijer - Carlos Roy

Facsimile No.(41-22) 740.14.35

Telephone No.(41-22) 338.91.11

INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 03/00134-0

CLASSIFICATION OF SUBJECT MATTER

IPC⁷: A61K 35/78

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC⁷: A61K 35/78

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPI, EPODOC, PAJ, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 2001 122763 A (LION CORP) 8 May 2001 (08.05.01) (abstract). [online] [retrieved on 31.10.2003]. Retrieved from: EPO PAJ Database. <i>abstract.</i>	1-4,6,7,10-13
X	ISOBE T. et al. Antibacterial constituents against Helicobacter pylori of Brazilian medical plant, Pariparoba, Yakugaku zasshi. Journal of the Pharmaceutical Society of Japan, April 2002, Vol. 122, No. 4, pages 291-294, ISSN 0031-6903. Medline-abstract [online] [retrieved on 31 October 2003 (31.10.03)]. Retrieved from: EPOQUE Medline Database, AN NLM11968842. <i>abstract.</i>	4
A	<i>abstract.</i>	1-3,6,7,10-13

☒ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents:

„A“ document defining the general state of the art which is not considered to be of particular relevance

„E“ earlier application or patent but published on or after the international filing date

„L“ document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

„O“ document referring to an oral disclosure, use, exhibition or other means

„P“ document published prior to the international filing date but later than the priority date claimed

„T“ later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

„X“ document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

„Y“ document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

„&“ document member of the same patent family

Date of the actual completion of the international search

17 November 2003 (17.11.2003)

Date of mailing of the international search report

3 December 2003 (03.12.2003)

Name and mailing address of the ISA/AT

Austrian Patent Office

Dresdner Straße 87, A-1200 Vienna

Facsimile No. 1/53424/535

Authorized officer

WOLF K.

Telephone No. 1/53424/436

INTERNATIONAL SEARCH REPORT

International application No.

PCT/BR 03/00134-0

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FELZENSZWALB I. et al. Absence of mutagenicity of Potomorphe umbellata and Potomorphe peltata in the Salmonella/mammalian- microsome mutagenicity assay. Brazilian journal of medical and biological research, 1987, Vol. 20, No. 3-4, pages 403-405, ISSN 0100-879X. Medline-abstract [online] [retrieved on 31 October 2003 (31.10.03)]. Retrieved from: EPOQUE Medline Database, AN NLM3330461. <i>abstract.</i>	4
A	<i>abstract.</i>	1-3,6,7,10-13
A	DE 19933857 A1 (Cognis Deutschland GmbH) 1 February 2001 (01.02.01) <i>abstract, claims 1,8.</i>	1-4,6,7,10-13
A	JP 09 208483 A (KAO CORP) 12 August 1997 (12.08.97) (abstract). World Patents Index [online]. London, U.K.: Derwent Publications, Ltd. [retrieved on 31.10.2003]. Retrieved from: Questel/Orbit, Paris, France. DW 9742, Accession No. 97-453955. <i>abstract.</i>	1-4
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INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 03/00134-0

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 11-13
because they relate to subject matter not required to be searched by this Authority, namely:
Remark: Although claims 11-13 concern a method for treatment of the human/animal body by therapy the search has been carried out and based on the alleged effects.
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

STATIC VENTING SYSTEM WITH SKYLIGHT

Information on patent family members

International application No.

P BR 03/00134-0

Patent document cited in search report			Publication date	Patent family member(s)			Publication date
A				none			
DE	A	19933857	2001-02-01	WO	A	0106996	2001-02-01
JP	A	9208483A 2		none			
JP	A	20011227 63A2		none			

PATENT COOPERATION TREATY

PCT

REC'D 10 MAR 2005

WIPO

PGT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PI 0204130-8	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/BR 2003/000134	International filing date (<i>day/month/year</i>) 17 September 2003 (17.09.2003)	Priority Date (<i>day/month/year</i>) 18 September 2002 (18.09.2002)
International Patent Classification (IPC) or national classification and IPC IPC⁷: A61K 35/78		
Applicant BARROS SILVIA BERLANGA DE MORAES		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examination Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u> 3 </u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u> 2 </u> sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I. <input checked="" type="checkbox"/> Basis of the opinion II. <input type="checkbox"/> Priority III. <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV. <input type="checkbox"/> Lack of unity of invention V. <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI. <input type="checkbox"/> Certain documents cited VII. <input type="checkbox"/> Certain defects in the international application VIII. <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 19.04.2004	Date of completion of this report 7 March 2005 (07.03.2005)	
Name and mailing address of the IPEA/AT Austrian Patent Office Dresdner Straße 87 A-1200 Vienna Facsimile No. 1/53424/200	Authorized officer MOSSER R. Telephone No. 1/53424/437	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/BR 2003/000134

I. Basis of the report

1. With regard to the elements of the international application:*
- ☒ the international application as originally filed
 - ☒ the description:
 - pages 1-16, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____.
 - ☐ the claims:
 - pages _____, as originally filed
 - pages _____, as amended (together with any statement) under Article 19
 - pages _____, filed with the demand
 - pages 17 and 18 (new claims 1-7), filed with the letter of 27 October 2004 (27.10.2004).
 - ☒ the drawings:
 - pages 3, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____.
 - ☐ the sequence listing part of the description:
 - pages _____, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____.
2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in printed form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____.
 - ☐ the claims, Nos. _____.
 - ☐ the drawings, sheets/fig _____.
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as „originally filed“ and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/BR 2003/000134

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	1-7	YES
	Claims	----	NO
Inventive step (IS)	Claims	1-7	YES
	Claims	----	NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims	5-7	NO

Citations and explanations (Rule 70.7)

The following documents have been cited in the Search Report:

D1: JP 2001 122763 A

D2: ISOBE T. et al. Antibacterial constituents against *Helicobacter pylori* of Brazilian medical plant, Pariparoba, Yakugaku zasshi. Journal of the Pharmaceutical Society of Japan, April 2002, Vol. 122, No. 4, pages 291-294, ISSN 0031-6903. Medline-abstract [online] [retrieved on 31.10.2003]. Retrieved from: EPOQUE Medline Database, AN NLM11968842.

D3: FELZENSZWALB I. et al. Absence of mutagenicity of *Potomorphe umbellata* and *Potomorphe peltata* in the *Salmonella*/mammalian- microsome mutagenicity assay. Brazilian journal of medical and biological research, 1987, Vol. 20, No. 3-4, pages 403-405, ISSN 0100-879X. Medline-abstract [online] [retrieved on 31.10.2003]. Retrieved from: EPOQUE Medline Database, AN NLM3330461.

D4: DE 19933857 A1

D5: JP 09 208483 A

The amended claim 1 is restricted to a defined concentration of 4-nerolidylcatechol. This restriction makes the new claim 1 novel and inventive. Consequently, novelty and inventive step are recognized for the subject-matters of claims 2-4 as well. The method of application of claim 5 is novel and not obvious from D1-D5 because these documents do not concern the combination of *Potomorphe umbellata* and photodamage and the skin diseases which are mentioned in claim 5. It is assumed that the antioxidant compound of claim 6 is nerolidylcatechol and also the inhibitory compound of claim 7 is nerolidylcatechol from *Potomorphe umbellata* (compare claim 1). These claims are dependent from claim 5 and the subject-matters are also novel and not obvious from the documents which are cited in the international search report.

The industrial applicability of the subject-matters of the claims 1-4 is self-evident. Claims 5-7 concern a method of treatment of the human or animal body (see PCT Rule 39.1 (iv)). Therefore industrial applicability is not given for these claims.

27 OCTOBER 2004

PCT/ BR 2003/000134

CLAIMS

1. Composition on basis of *Pothomorphe umbellata* extract comprising a standardized extract of *Pothomorphe umbellata* which contains a range from 0.005 to 20.0% of 4-nerolidylcatechol in the composition.

2. Composition according to claim 1 comprising a composition which is presented for topical use.

3. Composition according to claim 1 or 2 comprising a composition which is presented in gel form.

4. Composition according to claim 3 comprising:

- a) carboxymethylcellulose 0.01 - 10.0%
- b) propyleneglycol 0.001 - 50.0%
- c) methylparaben 0.001 - 3.0%
- d) *Pothomorphe umbellata* standardized extract, so that the formulation comprises from 4-nerolidylcatechol 0.005 to 20.0%
- e) distilled water q.s.p. 100.0%

5. Method of application of the composition on basis of *Pothomorphe umbellata* extract for treatment and/or prevention of photodamage to skin, cutaneous aging and/or skin cancer wherein said composition is topically administered in way to allow a satisfactory therapeutic response.

6. Method according to claim 5 comprising an antioxidant activity.

AMENDED SHEET

27 OCTOBER 2004

PCT/EP 2003/000134

Best Available Copy

7. Method according to claim 5 or 6 comprising an inhibitory activity of the lipid peroxidation.

AMENDED SHEET

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

DI BLASI Gabriel
Di Blasi, Parente, Soerensen Garcia &
Associados S/C
Rua do Ouvidor, 121/12 andar
Centro
20040-030 Rio de Janeiro
Brazil

PCT

WRITTEN OPINION

(PCT Rule 66)

Date of mailing
(day/month/year) 30 August 2004 (30.08.2004)

Applicant's or agent's file reference

PI 0204130-8

REPLY DUE

within 2 months/days from
the above date of mailing

International application No.
PCT/BR 2003/000134

International filing date (day/month/year)
17 September 2003 (17.09.2003)

Priority date (day/month/year)
18 September 2002 (18.09.2002)

International Patent Classification (IPC) or both national classification and IPC
IPC⁷: A61K 35/78

Applicant

BARROS SILVIA BERLANGA DE MORAES

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I. ☒ Basis of the opinion
 - II. ☐ Priority
 - III. ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV. ☐ Lack of unity of invention
 - V. ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI. ☐ Certain documents cited
 - VII. ☐ Certain defects in the international application
 - VIII. ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4. For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 19.01.2005.

Name and mailing address of the IPEA/AT
Austrian Patent Office
Dresdner Straße 87, A-1200 Vienna

Authorized officer

MOSSER R.

Facsimile No. 1/53424/200

Telephone No. 1/53424/437

Form PCT/IPEA/408 (cover sheet) (July 1998)

WRITTEN OPINION

International application No.

PCT/BR 2003/000134

I. Basis of the opinion

1. With regard to the elements of the international application: *
 - ☒ the international application as originally filed
 - ☐ the description:
 - pages , as originally filed
 - pages , filed with the demand
 - pages , filed with the letter of
 - ☐ the claims:
 - pages , as originally filed
 - pages , as amended (together with any statement) under Article 19
 - pages , filed with the demand
 - pages , filed with the letter of
 - ☐ the drawings:
 - pages , as originally filed
 - pages , filed with the demand
 - pages , filed with the letter of
 - ☐ the sequence listing part of the description:
 - pages , as originally filed
 - pages , filed with the demand
 - pages , filed with the letter of
2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
 These elements were available or furnished to this Authority in the following language _____ which is:
 - ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:
 - ☐ contained in the international application in printed form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/fig
5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as „originally filed“.

WRITTEN OPINION

International application No.
PCT/BR 2003/000134

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
I. Statement Novelty (N)	Claims	2, 3, 5, 8, 9	YES
	Claims	1, 4, 6, 7, 10, 11	NO
Inventive step (IS)	Claims	5, 8, 9	YES
	Claims	1-4, 6, 7, 10-13	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	11-13	NO

Citations and explanations

The following documents have been cited in the Search Report:

D1: JP 2001 122763 A

D2: ISOBE T. et al. Antibacterial constituents against Helicobacter pylori of Brazilian medical plant, Pariparoba, Yakugaku zasshi. Journal of the Pharmaceutical Society of Japan, April 2002, Vol. 122, No. 4, pages 291-294, ISSN 0031-6903. Medline-abstract [online] [retrieved on 31.10.2003]. Retrieved from: EPOQUE Medline Database, AN NLM11968842.

D3: FELZENSZWALB I. et al. Absence of mutagenicity of Potomorphe umbellata and Potomorphe peltata in the Salmonella/mammalian- microsome mutagenicity assay. Brazilian journal of medical and biological research, 1987, Vol. 20, No. 3-4, pages 403-405 ISSN 0100-879X. Medline-abstract [online] [retrieved on 31.10.2003]. Retrieved from: EPOQUE Medline Database, AN NLM3330461.

D4: DE 19933857 A1

D5: JP 09 208483 A

Novelty is not recognized for the subject-matters of claims 1, 4, 6, 7, 10 and 11 because D1 concerns the treatment of skin diseases. The "reduction in functions of the skin" can be interpreted as skin disease. Skin disease also comprises "photodamage of skin". D1 as well as above mentioned claims concern compounds from Potomorphe umbellata. It is clear that pharmaceutical compositions of D1 comprise substances which facilitate the uptake via the skin. Further it is obvious to inhibit oxidation processes of the skin with "function keeping" pharmaceutical compositions. Thus no inventive step is recognized for the subject-matters of the claims 2, 3, 12 and 13.

D2 concerns the treatment of diseases which may lead to cancer. Also claim 4 concerns cancer. Accordingly, the subject-matter of claim 4 appears to be obvious from D2.

D3 relates to the absence of mutagenicity of Potomorphe umbellata in an assay. It is generally known that mutagenicity goes hand in hand with cancer. A person skilled in the art will be encouraged by D3 to test substances from Potomorphe umbellata for anti cancer properties. Thus claim 4 seems to be obvious from D3. The claims 5, 8 and 9 reveal

WRITTEN OPINION

International application No.
PCT/BR 03/00134

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Box V (page 1)

technical details which are not obvious from the cited documents. The other documents which are cited in the search report do not interfere with novelty and inventive step. Industrial applicability is given for the subject-matters of claims 1-10. Claims 1-13 concern a method for treatment of the human or animal body by therapy (see PCT Rule 39.1 (iv)), therefore industrial applicability is not given for these claims.